

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hidetake Segawa, et al. **Examiner:** John P. Leubecker
Serial No: 10/634,044 **Art Unit:** 3739
Filed: August 4, 2003 **Docket:** 16870
For: ASSEMBLING METHOD OF
CAPSULE MEDICAL APPARATUS
AND CAPSULE MEDICAL
APPARATUS **Dated:** January 28, 2008
Conf. No.: 5278

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Pursuant to the restriction requirement imposed in the Official Action dated December 28, 2007, Applicants elect the claims of Group I, i.e., Claims 1, 4, 6, 8, 10 and 32 for continued prosecution herein.

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being deposited with the United States Patent & Trademark Office via Electronic Filing through the United States Patent and Trademark Office e-business website, on the date set forth below.

Dated: January 28, 2008

~~Thomas Spinelli~~

Claims 1, 2 and 4-32 are present in the above-captioned application and have been subjected to restriction under 35 U.S.C. § 121. Claims 15-31 have been previously withdrawn. Specifically, the Official Action avers that the following inventions are present in the claims:

Group I, Claims 1, 4, 6, 8, 10 and 32, drawn to an assembling method, classified in class 348, subclass 340; and

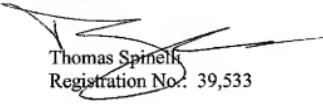
Group II, Claims 2, 5, 7, 9 and 11-14, drawn to capsule medical apparatus, classified in class 600, subclass 167.

It is the Examiner's position that the inventions listed as Groups I and II are distinct from each other.

In response to the Examiner's requirement for restriction, Applicants elect to prosecute the subject matter of Group I, Claims 1, 4, 6, 8, 10 and 32. However, Applicants reserve the right under 35 U.S.C. § 121 to file one or more divisional applications directed to the non-elected subject matter in this application.

In view of the foregoing, an examination on the merits of the elected claims, at an early date, is earnestly solicited.

Respectfully submitted,


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